

Attorney Docket No. 47176 DIV (70342)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: S. Hinuma et al.

EXAMINER: D. Romeo

SERIAL NO. 09/576,290

GROUP: 1647

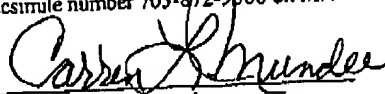
FILED: May 23, 2000

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17**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to Group 1600 of the U.S. Patent & Trademark Office by facsimile number 703-872-9306 on March 12, 2002.

By:

  
Carren L. Mundec**TERMINAL DISCLAIMER TO OBVIATE  
A DOUBLE PATENTING REJECTION; 37 C.F.R. § 1.321(c)**

Sir:

I, John B. Alexander, Ph.D., represent that I am an agent of record for this patent application.

The assignee, Takeda Chemical Industries, Inc., owns the entire right, title and interest in United States Patent No. 6,228,984 and the above-identified patent application by assignment recorded on February 7, 1997 on Reel No. 010225 and Frame No. 0967.

The terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term, or any extensions thereto, defined in 35 U.S.C. §§ 154 to 156 and 173 of the patent or application forming the basis of the double patenting rejection, United States Patent No. 6,228,984, as presently shortened by any terminal disclaimer, is

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hereby disclaimed, except as provided below, and it is agreed that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,228,984. This agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors and assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the above-identified patent application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of United States Patent No. 6,228,984, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminal disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued in any matter or is terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for separation of legal title stated above.

In accordance with 37 C.F.R. §1.321(b)(4), 1.20(d), the required filing fee of \$110.00 is submitted herewith.

Date: March 12, 2002

By:

  
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